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September 29, 2017

Via United States Mail

The Honorable Jacquelyn D. Austin
United States Magistrate Judge
United States District Court
District of South Carolina
300 East Washington Street
Greenville, South Carolina 29601

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Re: *Michelin Retirement Plan, et al. v. Dilworth Paxson, et al.*, 16-cv-03604-HMH-JDA

Dear Judge Austin:

I am a *pro se* defendant in the above-referenced case. On June 12, 2017, Judge Herlong adopted the Court's Report and Recommendation granting a stay in this case for reasons including the pending related criminal case in the Southern District of New York in which I am also a defendant. Judge Herlong further ordered that the parties should provide a status update by September 30, 2017. For the reasons stated below, I request that the Court continue to stay this matter pending resolution of my related criminal case.

The trial in my criminal case is currently scheduled for February 5, 2018. The government is still producing discovery, and we are to file pre-trial motions in November 2017. I intend to continue to trial in the criminal matter. For this reason, there remain serious concerns about my Fifth Amendment privileges and my ability to defend myself in this case, which the Court noted on pages 9-10 of the adopted Report and Recommendation granting the current stay. Because of those remaining concerns, I respectfully request that the Court continue to stay this case until the resolution of the related criminal matter.

Respectfully,



Michelle A. Morton